

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DISTRICT
CIVIL DIVISION

LEWIS E. ARCHER

)

Plaintiff,

)

) CASE NO. 24-CV-481-TFM-B

v.

)

) "JURY TRIAL DEMANDED"

AMERICA'S FIRST FEDERAL
CREDIT UNION (AFFCU) AND JPM
DREAM HOMES AND INVESTMENTS,
LLC. (JPM)
Jointly and Severally
Defendants.

COMPLAINT

This court has jurisdiction for this case pursuant to 28 U.S.C. §1331. The basis for

Jurisdiction for this case is Federal Question.

The Federal Statutes at issue are: FRCP 4(a)(1)(C), FRCP 4(l)(1),

U.S. Supreme Court Rule 29 (3), U.S. Supreme Court Rule 29 (5)

LEWIS E. ARCHER (*ProSe*) Plaintiff
3024 Lloyd's Lane
Mobile, Alabama 36693

Defendant 1

America's First Federal Credit Union
Lightfoot, Franklin & White, LLC.
400 20th Street North
Birmingham, AL 35203
205 581-0700

FILED DEC 23 2024 PM 9:15 USDC-AL

Defendant 2

JPM Dream Homes and Investments, LLC.
Fidelity National Law Group
4170 Ashford Dunwoody Road Suite 475
Atlanta, Georgia 30319
205 325-4807 austin.james@fnf.com

1. On September 4th 2024 and September 5th 2024, both defendants, JPM and AFFCU conceded by way of (Exhibit B) JPM, (Exhibit C) AFFCU, and (U.S. Supreme Court Rule 15(2)) that a valid State Court Order, (Exhibit A), granted Lewis and Shearie Archer the Deed to their home of 30 years free and clear.

Furthermore, both defendants waived all their rights by way of signed Waiver Forms and (U.S. Supreme Court Rule 15(2)). JPM on 9/4/2024 (Exhibit B), and AFFCU on 9/5/24 (Exhibit C).

Both defendants AFFCU and JPM then proceeded to violate Federal Proof of Service Rules, namely, Federal Rule of Civ. P. 4(a)(1)(C), Federal Rule of Civ. P. 4(l)(1), U.S. Supreme Court Rule 29 (3) and U.S. Supreme Court Rule 29(5) (Exhibits B and C), and prevented the U. S. Supreme Court from being able to judicially review a Petition for Writ of Certiorari and a Petition for Rehearing by the Plaintiff, (U.S. Supreme Court Case Number 24-212), thereby deprived the Plaintiff Lewis Archer and his family from receiving the Deed to their home of 30 years which they more than paid for: 9070 O'Hara Dr. Mobile, AL 36695, Lot 1, Tara Estates as recorded in Map Book 20, Page 89, in the Probate Office of Mobile County, Alabama.

2. On September 4th 2024 and September 5th 2024, both defendants, AFFCU and JPM violated Fed R. of Civ. P. 4 (a)(1)(C) by failing to show Plaintiff Lewis Archer's address of record, (3024 Lloyd's Lane Mobile, Alabama 36693) on their signed Waiver Forms submitted to the court. (Exhibits B and C). Both waiver forms show addresses that do not exist instead of Plaintiff Lewis E. Archer's address of record. It is clearly stated in Fed R. of Civ. P. 4 (a)(1)(C): Summons must state the name and address of the plaintiff's attorney or –if unrepresented--of the plaintiff.

3. On September 4th 2024 and September 5th 2024, both defendants, America's First Federal Credit Union and JPM Dream Homes, LLC. violated U.S Supreme Court Rule 29(3) by failing to serve their waiver forms on Plaintiff Lewis Archer as required by law, (Exhibits B and C)

U.S Supreme Court Rule 29(3) clearly states: "Any documents required by these Rules to be served may be served personally, by mail, or by third-party commercial carrier for delivery within 3 calendar days on each party to the proceeding at or before the time of filing."

Both Waiver Forms specifically state near the bottom "A copy of this form MUST be sent to petitioner's counsel or to petitioner if Pro Se." (Exhibits B and C). Both Waiver Forms show addresses that do not exist in place of Plaintiff Lewis Archer's address of record.

Before the violation dates of Sept 4th 2024 and Sept. 5th 2024, both Defendants, AFFCU and JPM, had previously corresponded with Plaintiff Lewis Archer at his address of record, 3024 Lloyd's Lane, Mobile, Alabama 36693, on numerous occasions.

4. On September 4th 2024 and September 5th 2024 both defendants, AFFCU and JPM violated Fed R. of Civ. P. 4 (l)(1) by failing to provide Proof of Service as required by Federal law,. Federal Rule of Civ. P. 4(l)(1) clearly states: PROVIDING SERVICE *Affidavit Required.* “*Unless Service is waived, proof of service must be made to the court.*” Both defendants provided to the court on their Waiver Forms addresses that do not exist instead of Plaintiff Lewis Archer’s address of record which is: 3024 Lloyd’s Lane Mobile, Alabama 36693. (Exhibits B and C)

5. On September 4th 2024 and September 5th 2024 both defendants, AFFCU and JPM violated U.S. Supreme Court Rule 29(5) by failing to provide Proof of Service as required by Federal Law. U.S. Supreme Court Rule 29 (5), states:

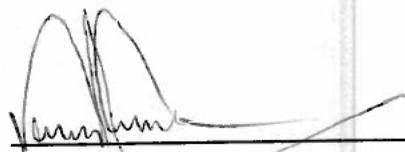
“Proof of service, when required by these Rules, shall accompany the document when it is presented to the Clerk for filing”... Proof of service shall contain, or be accompanied by, a statement that all parties required to be served have been served, together with a list of the names, addresses, and telephone numbers of counsel indicating the name of the party or parties each counsel represents.

Plaintiff Lewis Archer’s address of record is not on AFFCU’s Waiver Form or JPM’s Waiver Form as required by U.S. Supreme Court Rule 29 (5).

The Waiver Forms themselves of Sept 4th, 2024 to Sept. 5th 2024 evidence that both defendants' failed to comply with Federal Rule of Civ. P. 4(a)(1)(C), Federal Rule of Civ. P. 4(l)(1), U.S. Supreme Court Rule 29 (3) and U.S. Supreme Court Rule 29 (5), (Exhibits B and C), depriving Plaintiff Lewis Archer and his family from receiving the Deed to their home of thirty years, depriving the plaintiff and his family access to their home of 30 years, depriving the plaintiff and his family use of their home and causing other significant additional consequences and damages.

RELIEF

Because of these preceding reasons, Plaintiff Lewis Archer petitions this court first to order the Defendants to immediately transfer the Plaintiffs home Deed to the Plaintiff that was granted to the Plaintiff Lewis Archer and his wife Shearie Archer by way of the valid court order (Exhibit A), free and clear. The Plaintiff's home of 30 years is 9070 O'Hara Drive Mobile, Alabama 36695. The Plaintiff also petitions the court for actual damages from the defendants' actions associated with the Archer home outlined on a separate form, punitive, exemplary damages and all additional damages that the court deems necessary to make the plaintiff whole and to discourage the defendants from harming other seniors.



Date: 12/23/2024

LEWIS E. ARCHER (Plaintiff ProSe)
3024 Lloyd's Lane
Mobile, AL 36693
251 367-8904
lewisarcher2001@yahoo.com

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DISTRICT
CIVIL DIVISION

LEWIS E. ARCHER

)

Plaintiff,

)

v.

)

AMERICA'S FIRST FEDERAL
CREDIT UNION (AFFCU) AND JPM
DREAM HOMES AND INVESTMENTS,
LLC. (JPM)
Jointly and Severally
Defendants.

)

)
CASE NO. 2U-CV-481-TFM-B

Exhibit A

From U.S. Supreme Court File 24-212 on

September 4th and September 5th 2024

Valid State Court Order that granted Lewis and Shearie Archer the Deed
to their home of 30 years free and clear.

ELECTRONICALLY FILED
9/1/2021 10:45 AM
02-CV-2016-900716.00
CIRCUIT COURT OF
MOBILE, COUNTY, ALABAMA
JOJO SCHWARZAUER, CLERK

IN THE CIRCUIT COURT OF MOBILE, ALABAMA

AMERICA'S FIRST FCU,)
Plaintiff,)
)
V.) Case No:CV-2016-900716.
)
ARCHER LEWIS,)
ARCHER SHEARIE,)
Defendants.)

ORDER

This Court takes NO ACTION on Defendant's Motion to Stop Writ of Possession. This case was removed to United States District Court, 1:19-cv-00258-TFM-MU, and as of the date of this Order is still active in United States District Court. As such, this Court does not have jurisdiction over this case.

DONE this 1st day of September, 2021.

/s/ MICHAEL P. WINDOM
CIRCUIT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DISTRICT
CIVIL DIVISION

LEWIS E. ARCHER)
Plaintiff,)
v.)
AMERICA'S FIRST FEDERAL)
CREDIT UNION (AFFCU) AND JPM)
DREAM HOMES AND INVESTMENTS,)
LLC. (JPM)
Jointly and Severally
Defendants.)
CASE NO. _____

Exhibit B

From the U.S. Supreme Court File 24-212 on

September 4th and September 5th 2024

Defendant JPM Dream Homes and Investments, LLC.'s Signed Waiver
Form

W A I V E R

SUPREME COURT OF THE UNITED STATES

No. 24-212

Lewis Archer

(Petitioner)

America's First Federal Credit Union, et al

V.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- I am filing this waiver on behalf of all respondents.
- I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

JPM Dream Homes and Investments, LLC

Please check the appropriate box:

- I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature: /s/ Austin E. James

Date: 9/4/24

(Type or print) Name Austin E. James

Mr. Ms. Mrs. Miss

Firm Fidelity National Law Group

Address 4170 Ashford Dunwoody Road, Suite 475

City & State Atlanta, Georgia Zip 30319

Phone (770) 325-4807 Email austin.james@fnf.com

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc: Terrence W. McCarthy Lightfoot, Franklin & White, LLC tmccarthy@lightfootlaw.com (By electronic mail)	Lewis Archer, Pro Se 3023 Lloyd's Lane Mobile, Alabama 36693 (By U.S. Mail)
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DISTRICT
CIVIL DIVISION

LEWIS E. ARCHER)
Plaintiff,)
v.)
AMERICA'S FIRST FEDERAL)
CREDIT UNION (AFFCU) AND JPM)
DREAM HOMES AND INVESTMENTS,)
LLC. (JPM)
Jointly and Severally
Defendants.)
CASE NO. _____

Exhibit C

From U.S. Supreme Court File 24-212 on

September 5th 2024

Defendant America's First Federal Credit Union's Signed Waiver Form

W A I V E R

SUPREME COURT OF THE UNITED STATES

No. 24-212

Lewis Archer

(Petitioner)

America's First Federal Credit Union, et al.

V.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- I am filing this waiver on behalf of all respondents.
- I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

America's First Federal Credit Union

Please check the appropriate box:

- I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature:

/s/ Sanford G. Hooper

Date:

9/5/24

(Type or print) Name

Sanford G. Hooper

 Mr. Ms. Mrs. Miss

Firm

Lightfoot Franklin & White LLC

Address

400 20th Street North

City & State

Birmingham, AL

Zip 35203

Phone

205-581-0700

Email shooper@lightfootlaw.com

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc:

Lewis Archer, Pro Se
3025 Lloyd's Lane
Mobile, AL 36693
(US MAIL)Austin E. James
Fidelity National Law Group
austin.james@fnf.com
(By Electronic Mail)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing notice of filing will be served by United States Mail, properly addressed and First Class postage prepaid on December 23rd, 2024 to the following:

America's First Federal Credit Union
Lightfoot, Franklin & White, LLC.
400 20th Street North
Birmingham, AL 35203

JPM Dream Homes and Investments, LLC.
Fidelity National Law Group
4170 Ashford Dunwoody Road Suite 475
Atlanta, Georgia 30319


Date: 12/23/2024
LEWIS E. ARCHER (*ProSe*) Plaintiff
3024 Lloyd's Lane
Mobile, Alabama 36693
251 367-8904